

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
STEVEN B. BELKIN, )  
Plaintiff, )  
v. )  
BRUCE LEVENSON, ) Civil Action No. 1:05-cv-11695-RCL  
ED PESKOWITZ, )  
J. MICHAEL GEARON, JR., )  
J. RUTHERFORD SEYDEL II, )  
LPF ATLANTA LLC, and )  
SSG GROUP, LLC, )  
Defendants. )  
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**JOINT STATUS REPORT**

Plaintiff Steven B. Belkin ("Plaintiff") and defendants Bruce Levenson, Ed Peskowitz, J. Michael Gearon Jr., J. Rutherford Seydel II, LPF Atlanta LLC and SSG Group, LLC ("Defendants") hereby submit this Joint Status Report with respect to the above-captioned matter.

On August 4, 2005, Plaintiff brought an action against Defendants in the Superior Court of Suffolk County, Commonwealth of Massachusetts, styled Steven B. Belkin v. Bruce Levenson, Ed Peskowitz, J. Michael Gearon, Jr., J. Rutherford Seydel II, LPF Atlanta LLC and SSG Group, LLC, Civil Action No. 05-3287 (BLS). On August 12, 2005, Defendants filed a Notice of Removal, and the case was removed to this Court. On August 19, 2005, Plaintiff filed a Motion to Remand pursuant to 28 U.S.C. §1447(c).

On August 19, 2005, the parties entered into a Purchase and Sale Agreement ("PSA"), which would, upon the consummation of the terms of that agreement, result in a settlement of

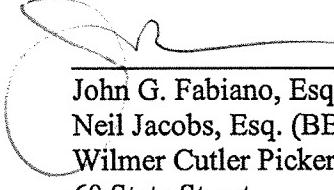
this litigation. The PSA contained a provision wherein the parties agreed that any suit as to any controversy or dispute arising out of the PSA would be brought in the Sixth Judicial Circuit Court for Montgomery County, Maryland.

On November 23, 2005, SB Belkin, LLC ("Belkin") filed an action in Montgomery County, Maryland against HTPA Holding Company LLC ("HTPA") and the Defendants alleging that HTPA and the Defendants had breached the terms of the PSA. HTPA and the Defendants answered and counterclaimed alleging that Belkin had breached the terms of the PSA. The parties thereafter filed cross-motions for partial summary judgment. On February 24, 2006, the Maryland court held an expedited hearing on the motions for partial summary judgment and entered an order in Belkin's favor. The parties then filed cross motions for summary judgment, and, on June 14, 2006, the Maryland court entered an order granting Belkin summary judgment. HTPA and the Defendants appealed both the February 24, 2006 and June 14, 2006 orders to the Maryland Court of Special Appeals, which heard argument on March 2, 2007.

The parties believe that the final decision in the Maryland action will likely resolve this matter in its entirety. Therefore, they ask that the stay in this action remain in place until the Maryland action is completed.

**PLAINTIFF**

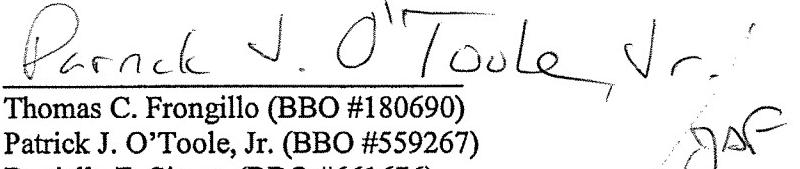
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**DEFENDANTS**

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Dated: March 17, 2007